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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JODIE D. GRAGG ,

8 Plaintiff,

9 v.

10 EDGAR KORZENIOWSKI.

11 Defendant.

CASE NO. 11-CV-5451RJB

ORDER ADOPTING A REPORT
AND RECOMMENDATION

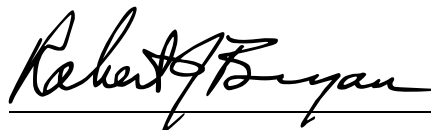
12 The Court having reviewed the Report and Recommendation of the Hon. J.
13 Richard Creatura, United States Magistrate Judge, objections to the Report and
14 Recommendation, if any, and the remaining record, does hereby find and Order:

15 (1) The Court adopts the Report and Recommendation;

16 (2) This petitioner is DISMISSED WITHOUT PREJUDICE as
17 unexhausted. Petitioner filed this petition before he was sentenced on a guilty plea
18 out of Grays Harbor Superior Court and he has not exhausted his state remedies.

19 (3) The court will not issue a certificate of appealability in this case.

20 DATED this 8th day of September, 2011.

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23 ROBERT J. BRYAN
24 United States District Judge